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HONOURABLE SRI JUSTICE B.PRAKASH RAO

AND

HONOURABLE SRI JUSTICE RAMESH RANGANATHAN

WRIT PETITION NO:7394 of 2006

DATED: 19-06-2006

Between:

Smt.P.Alivelumangamma

..... PETITIONER

AND

1. K.Radhabai and 4 others

.....RESPONDENTS

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ORDER: (per BPR,J)

Heard Sri J.R.Manohar Rao, learned counsel for the petitioner and Sri M.Jagannatha Sarma, learned counsel for the contesting respondents and also learned Government Pleader for Services-I on behalf of the contesting

authorities and at their request the main writ petition itself is taken up for disposal.

The petitioner herein by way of this writ petition seeks to assail the orders passed in O.A.No.1450 of 2005 dated 06-04-2006 on the file of the A.P. Administrative Tribunal whereunder the application filed by respondent No.1 herein was allowed under Section 19 of the Administrative Tribunals Act, 1985 setting aside the impugned proceedings dated 14-11-2003 appointing her to the post of Radiographer on the contract basis.

Though several contentions have sought to be urged from both sides on merits and also their entitlement to the post as such, however, the fact remains that either for the contract appointment or for regular appointment, admittedly, no steps have been taken by the authorities concerned or any application is called for before the process of appointment was taken up.

The tribunal, by taking into consideration the fact that the petitioner was directly appointed on the recommendation of the Minister, set aside the said appointment. It is not the case of the petitioner also that her appointment is after following due process of selection and calling for applications.

In view of the same, we do not find any justification in the claim of the petitioner to continue in pursuance of such appointment. As rightly observed by the tribunal it is necessary to follow regular procedure as to any appointment either contract or regular.

The writ petition is accordingly disposed of with a liberty to initiate fresh proceedings for appointment to the said post by proper notification and following the procedure as contemplated in the regulations. No order as to costs.

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19th June, 2006

SKM